

BILL NO. Z-76-07- 32

ZONING MAP ORDINANCE NO. Z- Last

AN ORDINANCE amending the City of  
Fort Wayne Zoning Map No. B-12.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY  
OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby  
designated a B-4 District under the terms of Chapter 36,  
Municipal Code of the City of Fort Wayne, Indiana, 1946, as  
amended by General Ordinance No. 2836 and amendments thereof; and  
the symbols of the City of Fort Wayne Zoning Map No. B-12,  
referred to therein, established by Section 9, Article III  
of said Chapter as amended, are hereby changed accordingly,  
to-wit:

Lot 3 together with Part of Lot 2 in GLEN COE  
PARK ADDITION: in ALL perimetrically described  
as follows:

Commencing on the East line of said Lot 2 at a  
point situated 55.5 feet South of the Northeast  
corner of Lot 1 as established in said Addition;  
thence South on the East line of Lot 2 and Lot 3,  
a distance of 74.0 feet to the Southeast corner  
of Lot 3 as established; thence Westerly on the  
South line of said Lot 3 as established by a  
deflection right of 00 degrees 36 minutes, a dis-  
tance of 85.6 feet to the easterly right-of-way  
line of the Decatur Road as established, as situated  
27 feet normally distant Northeasterly of the  
centerline of the 18 feet concrete pavement; thence  
Northwesterly by a deflection right of 61 degrees  
07 minutes on a line parallel to the said road  
pavement centerline, a distance of 57.0 feet to a  
point situated 91.0 feet Southeasterly of the North  
line of Lot 1 in said Addition; thence Northeasterly  
by a deflection right of 94 degrees 54 minutes, a  
distance of 75.2 feet; thence Southeasterly by a  
deflection right of 61 degrees 15 minutes, a distance  
of 12.2 feet; thence Easterly by a deflection left of  
38 degrees 35 minutes, a distance of 34.0 feet to  
the point of beginning; containing 7,066 square feet.  
Also, 0.296 acres in the Northwest part of Lot numbered  
1 in Bittersweet Gardens Addition to the City of Fort  
Wayne, Indiana, specifically described as follows:  
commencing at the Northwest corner of Lot numbered 1  
in Bittersweet Gardens Addition, thence East along  
the South line of Glen Coe Park Addition a distance  
of 175.6 feet to the Southeast corner of Lot numbered 5

APPROVED AS TO FORM  
AND LEGALITY.

CITY ATTORNEY

*John F. [Signature]*

1  
2  
3 in said Glen Coe Park Addition, thence South a  
4 distance of 52 feet to a point, thence South  
5 47 degrees 40 minutes West a distance of 129.6  
6 feet to a point on the East right of way of Old  
7 Decatur Road, thence North 42 degrees 20 minutes  
8 West along said right-of-way a distance of 130  
9 feet to the point of beginning.

10 SECTION 2. This Ordinance shall be in full force and  
11 effect from and after its passage, approval by the Mayor and  
12 legal publication thereof.  
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Councilman

Read the first time in full and on motion by Nuckols, seconded by Talarico, and duly adopted, read the second time by title and referred to the Committee on Regulation (and the City Plan Commission for recommendation) and ~~Public Hearing to be held after due legal notice, at the Council Chambers, City County Building, Fort Wayne, Indiana, on~~ \_\_\_\_\_, the day of \_\_\_\_\_, 1976, at \_\_\_\_\_ o'clock P.M., E.S.T.

DATE: 7-27-76

Charles Titus  
CITY CLERK

Read the third time in full and on motion by Nuckols, seconded by Talarico, and duly adopted, placed on its passage.

PASSED (LOST) by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT:
TOTAL VOTES	<u>0</u>	<u>9</u>			
BURNS	<u>X</u>	<u>✓</u>			
HINGA	<u>X</u>	<u>✓</u>			
HUNTER		<u>✓</u>			
MOSES		<u>✓</u>			
NUCKOLS		<u>✓</u>			
SCHMIDT, D.		<u>✓</u>			
SCHMIDT, V.		<u>✓</u>			
STIER		<u>✓</u>			
TALARICO		<u>✓</u>			

DATE: 9-14-76

Charles Titus  
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL) (APPROPRIATION)

ORDINANCE (RESOLUTION) No. \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 1976.

ATTEST: (SEAL)

CITY CLERK

PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the \_\_\_\_\_ day of \_\_\_\_\_, 1976, at the hour of \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

CITY CLERK

Approved and signed by me this \_\_\_\_\_ day of \_\_\_\_\_, 1976, at the hour of \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

MAYOR

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on July 27, 1976, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-76-07-32; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

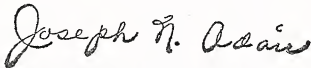
WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on August 16, 1976;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO NOT PASS for the reasons that no need has been shown for the Land Use Plan to be amended, the amendment will not be in the best interest of and benefit to the area involved and of and to the City, and the amendment will be detrimental to and conflicts with the over-all City Plan and,

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Dommission held August 23, 1976.

Certified and signed this  
24th day of August, 1976.



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Joseph N. Adair  
Secretary

Bill No. Z-76-07-32

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance  
amending the City of Fort Wayne Zoning Map No. B-12

have had said Ordinance under consideration and beg leave to report back to the Common  
Council that said Ordinance ex. int. PASS.

John Nuckols - Chairman

Paul M. Burns - Vice-Chairman

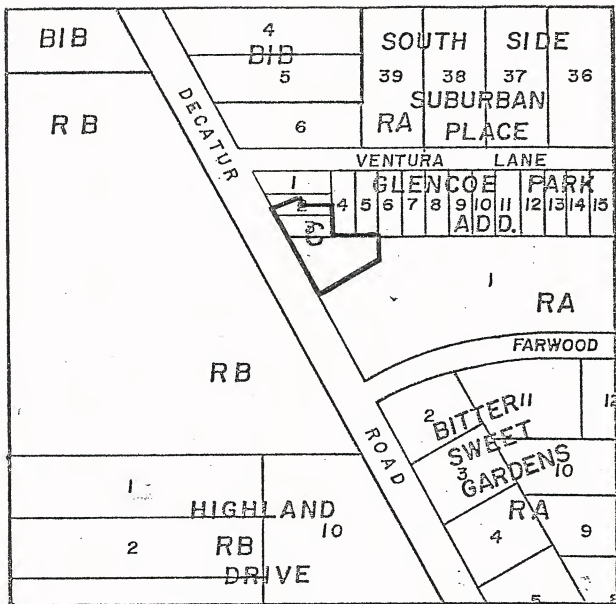
Vivian G. Schmidt

Winfield C. Moses, Jr.

Donald J. Schmidt

CONCURRED IN

DATE 9-14-76 CHARLES W. WESTERMAN, CITY CLERK



**C** CHANGE FROM RA TO B4

MAP B12

DATE DRAWN 7-15-76

DRAWN BY R.K.

276-07-32



TO: COMMON COUNCIL OF THE  
CITY OF FORT WAYNE, INDIANA

Date Filed \_\_\_\_\_

Intended Use \_\_\_\_\_

I/We Norman A. Pontius and Jeffrey A. Schumacher

(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne, Indiana,  
by reclassifying from a/an R-1 district to a/an B-4 district the  
property described as follows: RA

See attached for legal description of Real Estate

commonly known as 6001 Decatur Road, Fort Wayne,

Indiana, 46816

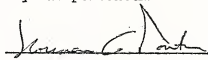
(Legal Description)

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that ~~XXXX~~/We are the owner(s) of fifty-one percentum  
(51%) or more of the property described in this petition.

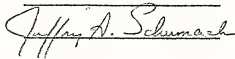
Norman A. Pontius

5018 Lancelot Court  
Fort Wayne, Indiana  
46805



Jeffrey A. Schumacher

1622 Stanley Avenue  
Fort Wayne, Indiana  
46805



(Name)

(Address)

(Signature)

Legal Description Checked By: \_\_\_\_\_

(City Engineer)

NOTE FOLLOWING RULES:

All requests for continuances or requests that ordinances be taken under advisement shall be filed in writing in the office of the City Plan Commission by noon on the Wednesday preceding the meeting of the City Plan Commission at which the ordinance is to be considered. If the request for a continuance or advisement is filed within the required time, the matter will not be put on the agenda for that meeting. It shall be the obligation of the petitioner to notify the same property owners which the Plan Commission had notified by mail that the hearing has been postponed or rescheduled and inform them of the time and place of the meeting at which the ordinance will be considered. All withdrawals of the ordinances must be made in writing prior to the Plan Commission's vote on the ordinance.

Name and address of preparer, attorney or agent:

Wayne L. Witmer  
(Name)

395 Lincoln Bank Tower  
(Address)

423-9551  
(Telephone Number)

CITY PLAN COMMISSION, CITY-COUNTY BUILDING, Room # 880, ONE MAIN STREET, FORT WAYNE,  
INDIANA, 46802 Telephone Number: 423-7571

LEGAL DESCRIPTION

Lot 3 together with Part of Lot 2 in GLEN COE PARK ADDITION:  
in ALL perimetrically described as follows:

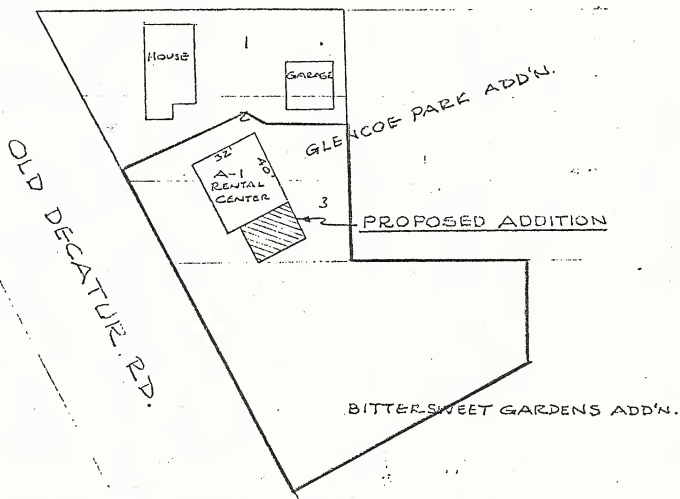
Commencing on the East line of said Lot 2 at a point situated 55.5 feet South of the Northeast corner of Lot 1 as established in said Addition; thence South on the East line of Lot 2 and Lot 3, a distance of 74.0 feet to the Southeast corner of Lot 3 as established; thence Westerly on the South line of said Lot 3 as established by a deflection right of 90 degrees 36 minutes, a distance of 85.6 feet to the easterly right-of-way line of the Decatur Road as established, as situated 27 feet normally distant Northeasterly of the centerline of the 18 feet concrete pavement; thence Northwesterly by a deflection right of 61 degrees 07 minutes on a line parallel to the said road pavement centerline, a distance of 57.0 feet to a point situated 91.0 feet Southeasterly of the North line of Lot 1 in said Addition; thence Northeasterly by a deflection right of 94 degrees 54 minutes, a distance of 75.2 feet; thence Southeasterly by a deflection right of 61 degrees 15 minutes, a distance of 12.2 feet; thence Easterly by a deflection left of 38 degrees 35 minutes, a distance of 34.0 feet to the point of beginning; containing 7,066 square feet. Also, 0.296 acres in the Northwest part of Lot numbered 1 in Bittersweet gardens Addition to the City of Fort Wayne, Indiana, specifically described as follows: commencing at the Northwest corner of Lot numbered 1 in Bittersweet Gardens Addition, thence East along the South line of Glen Coe Park Addition a distance of 175.6 feet to the Southeast corner of Lot numbered 5 in said Glen Coe Park Addition, thence South a distance of 52 feet to a point, thence South 47 degrees 40 minutes West a distance of 129.6 feet to a point on the East right of way of Old Decatur Road, thence North 42 degrees 20 minutes West along said right-of-way a distance of 130 feet to the point of beginning.



The petitioners are currently doing business as A-1 Rental Center in the building identified as a 32' x 40' cement block building on the plat of Lots 1, 2, and 3 of Glencoe Park Addition and the northwest corner of Bittersweet Gardens Addition. Present zoning is R-1 but used as ~~B-1-B~~ B-4 under "prior existing but nonconforming use." Under this restriction petitioners are not permitted to enlarge the business building on the exterior.

It is the intention of the petitioners to continue the operation of A-1 Rental Center at this location, substantially as it is now being operated, throughout the foreseeable future. However, it is desirable for reasons of efficiency and business promotion to modernize this facility. Toward that end it is proposed to construct an addition to the building of 400 to 600 square feet approximately as shown in the accompanying sketch below to serve as a showroom for rental equipment. Proposed construction would be of cement block on a poured slab designed to integrate with the existing structure. The interior would have finished walls, tile floor, and modern business fixtures. Accompanying improvements would include upgrading of the electrical and plumbing systems and customer parking areas; the whole to be integrated in design with the existing building which has recently been improved by the petitioners with a new facade. A natural consequence of this modernization would be a substantial improvement in the appearance of the property, and hence, of the neighborhood.

VENTURA LN.





## THE CITY OF FORT WAYNE

COMMUNITY DEVELOPMENT & PLANNING  
division of long range planning and zoning

August 24, 1976



Members of the Common Council  
City-County Building  
One Main Street  
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a copy of a resolution pertaining to one (1) zoning ordinance amendment acted upon by the City Plan Commission at their regular meeting held August 23, 1976. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved.

1. Bill No. Z-76-07-32
2. From "RA" to "B4"
3. Intended Use: Expansion of a legal non-conforming use for A-1 Rental
4. Plan Commission Recommendation: DO NOT PASS


This ordinance received a DO NOT PASS recommendation for the following reason:

- a. "B4" Zoning would not be compatible with the surrounding residential use on the east side of Decatur Road.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT AND PLANNING  
Division of Long Range Planning  
and Zoning

  
Gary F. Baeten  
Land Use Administrator

GFB:PR  
ATT.



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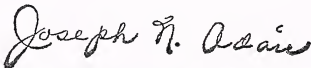
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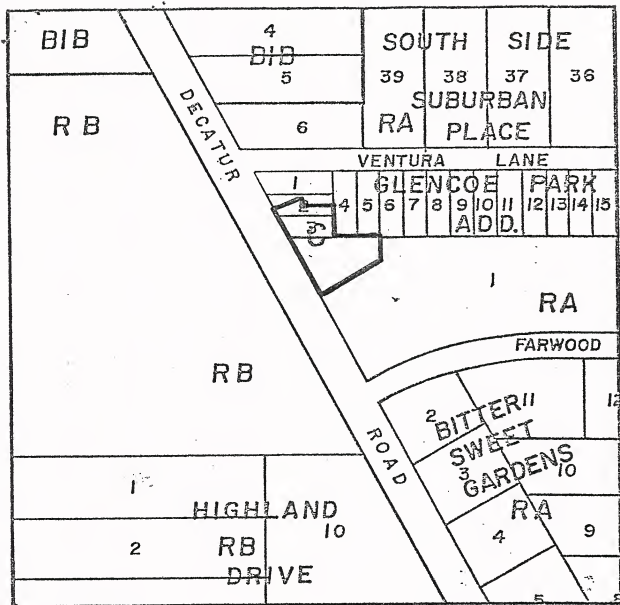
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24th day of August, 1976.



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Joseph N. Adair  
Secretary



**C** CHANGE FROM RA TO B4

MAP B12

DATE DRAWN 7-15-76

DRAWN BY R.K.

47607-32



TITLE OF ORDINANCE Zoning Map Amendment Ordinance3-76-07-32DEPARTMENT REQUESTING ORDINANCE CITY PLAN COMMISSIONSYNOPSIS OF ORDINANCE Petitioners are requesting the rezoning  
of the following described property:Lot # 3, together with part of Lot # 2 in Glen Coe Park Addition,generally located on the east side of Old Decatur Road, approximately48 feet south of Ventura Lane, and commonly known as6001 Decatur RoadFrom RA to "B4"NOTE: Petition originally submitted requested a "BlB" District.Petitioner had to resubmit requesting correct zoning classification  
as needed. (Filing fee transferred to this petition).EFFECT OF PASSAGE Property presently is zoned an "RA" District -Suburban Residential. Petitioners are requesting a "B4" District -  
Roadside Business.EFFECT OF NON-PASSAGE Property would remain an "RA" District.MONEY INVOLVED (Direct Costs, Expenditures, Savings) noneASSIGNED TO COMMITTEE (J.N.) Regulation JB